

PATENT  
ATTORNEY DOCKET NO.: 046124-5344

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Haruhisa SAITO et al. ) Confirmation No.: Unassigned  
Application No.: 10/516,076 ) Group Art Unit: Unassigned  
Filed: November 29, 2004 ) Examiner: Unassigned  
For: FLUORESCENCE LIFETIME )  
DISTRIBUTION IMAGE MEASURE- )  
MENT DEVICE AND MEASUREMENT )  
METHOD THEREOF )

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
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Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), a fee of \$180.00 accompanies this Information Disclosure Statement as specified in 37 C.F.R. § 1.17(p).

An International Search Report (ISR) dated August 12, 2003 is attached together with the listed documents. Applicants respectfully request that the Examiner consider the ISR and listed

documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449.

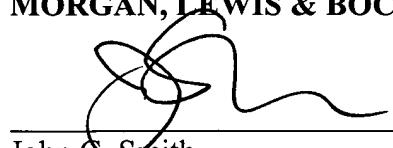
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
John G. Smith  
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Dated: December 22, 2004

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202-739-3000

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)				Attorney Docket 046124-5344		Application No.: 10/516,076	
<b>PTO Form 1449</b>				Applicant(s): Haruhisa SAITO et al.		Page 1 of 1	
				Filing Date: November 29, 2004		Group: Unassigned	
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Class	Sub Class	Translation Yes      No
		WO 02/10727 A1	February 7, 2002	PCT			Abstract
		GB 2 231 958 A	November 18, 1990	Great Britain			
		11-118716	April 30, 1999	Japan			Abstract
		2000-088751	March 31, 2000	Japan			Abstract
		2001-356272	December 26, 2001	Japan			Abstract
		2001-194305	July 19, 2001	Japan			Abstract
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	Wang, X.F. et al., "Fluorescence Lifetime Imaging Microscopy (FLIM): Instrumentation and Applications", Critical Reviews in Analytical Chemistry, 23 (5):369-395 (1992)						
	Sytsma, J. et al., "Time-Gated Fluorescence Lifetime Imaging and Microvolume Spectroscopy Using Two-Photon Excitation", Journal of Microscopy, 191:39-51 (July 1998)						
	Ossler, F. et al., "Two-Dimensional Visualization of Fluorescence Lifetimes by Use of a Picosecond Laser and a Streak Camera", Applied Optics, 37 (12):2303-2314 (April 1998)						
Examiner				Date Considered			
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.							